

BOARD OF MADISON COUNTY COMMISSIONERS
February 17, 2009 MINUTES

On Tuesday, February 17, 2009, a meeting of the Board of Madison County Commissioners came to order at 10:05 a.m. in the Commissioners' Conference Room of the Madison County Courthouse in Virginia City, Montana, with Commissioners David Schulz, Chairman, and Marilyn Ross present. Leona Stredwick, Planning Department Clerk, was present to take minutes.

Marilyn Ross moved to approve the February 2, 2009, minutes with corrections. David Schulz seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Charity Fechter, Vicki Tilstra, Cathy Gustin, Shawn Christensen, Ted Liss, Barbie Durham, Judy Melin, Linda Hamilton, Dave Schenk, Shelly Burke, and Chris Mumme.

First Reading of Ordinance 1-2009, Amending Ordinance 4-2006, Subdivision Application

Review Fee Schedule: Charity Fechter, Planning Director, read Ordinance 1-2009 as recommended by the Planning Board. Discussion followed regarding the lack of formal public comment and that informal comments were favorable to this change. Marilyn Ross moved to approve the first reading of Ordinance 1-2009, an ordinance amending Ordinance 4-2006, Subdivision Application Review Fee Schedule. David Schulz seconded the motion. All voted aye and the motion carried. A Public Hearing to accept public comment on this ordinance will be March 3, 2009, at 10:15 a.m. The Board also discussed the need for future discussion of the proposed Streamside Setback Ordinance, the Tolson Review, and the Children's' Center.

Excess Vacation Hours: Vicki Tilstra, Chief Financial Officer, and Cathy Gustin, Finance Office Clerk, read the policy addressing excess vacation hours and presented the Board with a list of employees who are close to or are exceeding the limit. Employees will be notified twice a year of their status. Letters were recently sent to each employee with excess vacation hours. Employees submitted responses and the Board signed off on those letters. Vicki will speak with the respective department heads and have them encourage their employees reaching excess vacation time to take time off. Payroll notices/check stubs will also be printed with reminders to check vacation time.

Resolution to Annex Ennis into Madison Valley Rural Fire District: Shawn Christensen and Ted Liss, Madison Valley Rural Fire Department, met with the Board to discuss a resolution to annex Ennis into the Madison Valley Rural Fire District. Chris Mumme, Director of Emergency Management, was also present for this portion of the meeting. Marilyn Ross read the proposed resolution. Discussion followed regarding the history of the mills and how to approach the mills this time (contingency or permanent). The Board took the resolution under advisement until Jim Hart could look at this in detail. This portion of the meeting was continued to Thursday, February 19, at 11 a.m.

Budget Amendment for Airport Fund 2171: Vicki Tilstra, Chief Financial Officer, and Barbie Durham, Grant Writer, reported that when the budget was formalized, it did not include (due to lack of needed funding) the Ennis Airport extension being funded with federal dollars. David Schulz read the proposed resolution. Discussion followed regarding loans from Twin Bridges and Townsend Airports. Marilyn Ross moved to adopt Resolution 4-2009, a resolution of budget amendment for Fiscal Year 2008-2009 for Airport FAA Fund 2171. David Schulz seconded the motion. All voted aye and the motion carried.

Budget Amendment to Include Pre-Disaster Mitigation Grant: This grant project is for preparing Pre-Disaster Mitigation plans for Madison, Beaverhead and Broadwater Counties. Vicki Tilstra, Chief Financial Officer, and Barbie Durham, Grant Writer, reported that this project should not cost Madison County as this is an 'in-kind' grant. David Schulz read the proposed resolution. Marilyn Ross moved to adopt Resolution 5-2009, a resolution amending the Budget to Include Fund 2960 Disaster/FEMA. David Schulz seconded. All voted aye and the motion carried.

Audit Response: Vicki Tilstra, Chief Financial Officer, submitted responses to the audit. Each department head reported their findings. The Board reviewed the document as presented. Vicki will send the copy directly to the auditor.

TriCare Promissory Note: Judy Melin, Madison Valley Manor Administrator, presented the Board with documentation and a request by TriCare to sign a promissory note. Vicki Tilstra, Chief Financial Officer, was also present for this portion of the meeting. The Board declined to sign the Promissory Note and will meet with Chris Christensen, County Attorney, to discuss continuing payments, a lump sum payment, and status of the claim.

Granite Creek Access: Stephanie Kruer, Attorney at Law, telephoned a request (with apologies) that this item be pulled from the agenda due to a sudden and unavoidable scheduling conflict.

Resolution Setting New Civil Fees: Dave Schenk, Sheriff, presented the Board with a resolution setting new civil fees. David Schulz read the proposed resolution. Marilyn Ross moved to rescind Resolution 7-2001 and adopt Resolution 8-2009, a new resolution setting Sheriff Service Fees noting that Section 3, part (a) will be changed to read "Mileage will be current state rate". David Schulz seconded the motion. All voted aye and the motion carried.

Countywide Dog Ordinance: Dave Schenk, Sheriff, presented the Board with a draft ordinance to control at-large animals. The proposed ordinance includes both dogs and cats and generally focuses on rabies and nuisances. Sheriff Schenk asked to do more research before the ordinance can be considered.

Virginia City Truck and Traffic Issues: Linda Hamilton, Mayor of Virginia City, met with the Board to discuss the need to change the speed limit coming off the hill into Virginia City from Ennis. Dave Schenk, Sheriff, was also present for this portion of the meeting. Additional precautionary signage was discussed. The Town of Virginia City, the Board, and the Sheriff will write a letter to Lee Alt, Transportation Specialist Montana Department of Transportation, regarding this issue.

Madison County/Virginia City Memorandum of Understanding: Linda Hamilton, Mayor of Virginia City, presented the Board with a Memorandum of Understanding detailing what is the jurisdiction of the Town and what is the jurisdiction of the County in regards to County Road #45, Bozeman Trail Road, which overlaps City Road Bozeman Trail and County Road #46 Alder Gulch Road which overlaps City Road Jackson Street. David Schulz stated he was not opposed to the Memorandum but would consider it once the Virginia City Town Council has signed it. Linda will return the Memorandum to the Board after the Town Council has taken action.

Virginia City Rural Fire District Resolution Requesting Mill Election: Chris Mumme, Director of Emergency Management, Linda Hamilton, Mayor of Virginia City, and Shelly Burke, Treasurer, were present for this portion of the meeting. Chris Mumme presented the Board with a copy of a draft resolution requesting a mill election that would authorize funding for the Virginia City Rural Fire District. Chris will make some changes to the draft. This portion of the meeting was continued to Thursday, February 19, at 11 a.m.

Investment Committee Meeting: Shelly Burke, Treasurer, presented the Board with current investment financials. Shelly stated that the State Treasurers' meeting will be held on March 5, 2009, in Helena, Montana.

1979 Dodge Flat Bed Fire Truck: At the request of the Director of Emergency Management, this item was tabled.

Victims Advocate Grant: Barbie Durham, Grant Writer, presented the Board with the Victims Witness Advocate Grant, stating that the usual requested amount was being requested. Amy Donovan, Victims Advocate, was unable to be present for the meeting. Barbie stated that Amy is in good standing and all of the reports are filed on time and in complete fashion. Marilyn Ross moved to approve Subgrant Application Victim Advocates Grant RFP 09-04. David Schulz seconded the motion. All voted aye and the motion carried.

Lee House/Office Space: Requests For Proposals are being put together for the refurbishing work at the Lee House and will be prepared for advertisement next week. A letter has been sent to the Town of Virginia City stating intent to vacate the School building and a timeline for moving into the Lee House. The letter also states that the Town of Virginia City will need to vacate the School Building for reasons of safety. Linda Hamilton, Virginia City Mayor, asked if they might be able to use the School House for storage. The Board will look into their request and see if the building is deemed safe enough for storage use.

E911 Board Resignation: Marilyn Ross moved to accept, with regret and gratitude for service, the resignation of Trent Biggers from the E911 Board and to advertise the vacancy. David Schulz seconded the motion. All voted aye and the motion carried.

Big Hole River Board Resignation: Marilyn Ross moved to accept, with regret and gratitude for service, the resignation of Sam Novich from the Big Hole River Board and to advertise the vacancy. David Schulz seconded the motion. All voted aye and the motion carried.

Weed Board Appointment: Marilyn Ross moved to appoint Pete Novich to the Weed Board for a three year term which will expire on December 31, 2011. David Schulz seconded the motion. All voted aye and the motion carried.

Planning Board Appointment: Marilyn Ross moved to reappoint Laurie Schmidt to the Planning Board for a two year term which will expire December 31, 2010. David Schulz seconded the motion. All voted aye and the motion carried. The Twin Bridges Planning Board appointment was postponed since a letter of recommendation from the Town had not been received.

310 Permit – North Meadow Creek: Marilyn Ross moved to sign the application for 310 Permit for the relocation of a section of North Meadow Creek Road. David Schulz seconded the motion. After discussion, the Board postponed the vote until Jim Hart's return so that the proposed project could be considered in more detail with Jim present.

Joint Permit Applications – Ruby Town Bridge over Alder Gulch: Marilyn Ross moved to approve the 124 Permit and the 404 Permit to replace the Ruby Town Bridge over a side channel of Alder Gulch. David Schulz seconded the motion. All voted aye and the motion carried.

At 4:00 p.m. the remainder of the meeting was continued to Thursday, February 19, 2009.

Commission Meeting – February 17, 2009

Thursday, February 19, 2009, 11:30 a.m: The meeting continued with Commissioners David Schulz, Chairman, and Jim Hart, Vice-Chair, present. Marilyn Ross was not present for this portion of the meeting. Leona Stredwick, Planning Department Clerk, was present to take minutes. Others present were Barbie Durham, Chris Mumme, Ted Liss, Tony James, Chris Leonard, Jennifer Madgic, Kim Krueger, Dan McCauley, and Karl Yakawich.

Resolution for Mill Levy Election for Madison Valley Rural Fire District: Leona Stredwick read the proposed resolution as presented by Chris Mumme, Director of Emergency Management. Jim Hart moved to adopt Resolution 6-2009, a resolution calling for an election to increase the mill levy allocation to the Madison Valley Rural Fire District. David Schulz seconded the motion. All voted aye and the motion carried. Ted Liss presented a resolution from the Town of Ennis; this item will be added to the agenda at a later date.

Resolution for Mill Levy for Virginia City Rural Fire District: Leona Stredwick read the proposed resolution as presented by Chris Mumme, Director of Emergency Management. Jim Hart moved to adopt Resolution 7-2009, a resolution calling for an election to impose a mill levy allocation to the Virginia City Rural Fire District. David Schulz seconded the motion. All voted aye and the motion carried.

Kim Krueger, Senator Baucus Staff & Jennifer Madgic, Senator Tester Staff: Met and discussed stimulus funding and appropriations for Madison County projects.

Madison County Fair Grounds Projects: Dan McCauley, Great West Engineering, presented a study and cost plan for the Jeffers Building, the Octagon Building, and the Grandstands. The Jeffers and Octagon buildings are considered repairable with basic external repairs and upkeep needed. The Grand Stand is considered unsafe and repairs were suggested but not considered the best option; full replacement was recommended. Dana Escott, Fair Manager, will take the information to the Fair Board and will begin working on a plan immediately as the fairgrounds will be needed in April.

The next regular Commission Meeting will be held on February 24, 2009, beginning at 9:00 a.m. in the Commissioners Conference Room at the Madison County Courthouse in Virginia City, Montana.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: March 3, 2009

Minutes prepared by:

Leona Stredwick, Planning Department Assistant

Peggy Kaatz, Clerk and Recorder, Madison County